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Dated: December 15, 2004 Signature:


(Kevin M. Kocun)



Docket No.: SPINE 3.0-455 CIP CONT V
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Zubok et al.

Application No.: 10/781,484

Filed: February 18, 2004

Art Unit: 3738

For: INSTRUMENTATION AND METHODS FOR
USE IN IMPLANTING A CERVICAL DISC
REPLACEMENT DEVICE

Examiner: Not Yet Assigned

NOTIFICATION OF LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Assignee, SpineCore, Inc., hereby notifies the Patent and Trademark Office that it is not entitled to status as a small entity, and that the claim for small entity status filed by the Applicant is hereby withdrawn.

Dated: December 15, 2004

Respectfully submitted,

By 
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**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Rafail Zubok, Michael W. Dudasik, and Joseph P. ErricoApplication No./Patent No.: 10/781,484 Filed/Issue Date: February 18, 2004Entitled: INSTRUMENTATION AND METHODS FOR USE IN IMPLANTING A CERVICAL DISC
REPLACEMENT DEVICE

SpineCore, Inc., a Corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. the assignee of the entire right, title, and interest; or
2. an assignee of less than the entire right, title and interest.

The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- A. An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 014627, Frame 0190, or for which a copy thereof is attached.

OR

- B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
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 Additional documents in the chain of title are listed on a supplemental sheet. Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Signature

December 15, 2004

Date

Kevin M. Kocun, Patent Agent

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(908) 518-6383

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Authorized Signer for Assignee

Title